

1 JODI H. LINKER
2 Federal Public Defender
3 Northern District of California
4 JESSICA YU
5 Assistant Federal Public Defender
6 55 S. Market Street, Suite 820
7 San Jose, CA 95113
8 Telephone: (408) 291-7753
9 Facsimile: (408) 291-7399
10 Email: Jessica_Yu@fd.org

11 Counsel for Defendant LUNA

12
13 IN THE UNITED STATES DISTRICT COURT
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
15 SAN JOSE DIVISION

16 UNITED STATES OF AMERICA,

17 Plaintiff,

18 v.

19 JAMES LUNA,

Defendant.

Case No.: 5:23-mj-71503-MAG

**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE
DETENTION HEARING**

20 Defendant James Luna and the Government, by and through their respective counsel,
21 stipulate and agree, with the Court's approval, that the detention hearing set for December 11, 2023
22 at 1:00 p.m. may be continued to December 13, 2023 at 1:00 p.m. The reason for the requested
23 continuance is that the defense needs additional time to conduct investigation that will bear on the
24 detention hearing.

25 The parties additionally stipulate and agree that time shall be excluded from December 11,
26 2023 to December 13, 2023, pursuant to 18 U.S.C. §§ 3161(h)(1)(D) as the government's motion
27 for detention remains pending.

1 IT IS SO STIPULATED.
2

3 Dated: December 8, 2023
4

JODI H. LINKER
Federal Public Defender
Northern District of California

5 /s/
6 JESSICA YU
7 Assistant Federal Public Defender
8

9 Dated: December 8, 2023
10

ISMAIL J. RAMSEY
United States Attorney
Northern District of California

11 /s/
12 NEAL HONG
13 Assistant United States Attorney
14

[PROPOSED] ORDER

15 Upon agreement and stipulation of the defendant James Luna, and the United States, and their
16 respective counsel, and good cause appearing, IT IS HEREBY ORDERED that defendant James
17 Luna's detention hearing be continued to December 13, 2023 at 1:00 p.m.

18 It is further ORDERED that time be excluded under 18 U.S.C. § 3161(h), and specifically,
19 that it be excluded from December 11, 2023 to December 13, 2023.

20
21 IT IS SO ORDERED.
22

23 DATED: _____
24

25 HONORABLE SUSAN VAN KEULEN
26 United States Magistrate Judge
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